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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,560	11/10/1999	DAVID J. KURLANDER	662005.469C1	8160

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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/23/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/437,560

Applicant(s)

KURLANDER ET AL.

Examiner

Namitha Pillai

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-22, 26-29 and 32-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33-37 is/are rejected.
- 7) ☒ Claim(s) 14-22, 26-29 and 32-36 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other:

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract is objected to for exceeding 150 words.

### *Claim Objections*

2. Claim 5 is objected to because of the following informalities: The term "transforms" should be replaced with "transform". Appropriate correction is required.
3. Claims 14, 22, 26 and 33 are objected to because of the following informalities: Proper definitions of the acronyms TAOS (claim 14), UTOS (claims 22 and 33) and ULOS (claim 26) are necessary when they are used initially. Appropriate correction is required.
4. Claim 26 is objected to because of the following informalities: The term UIOS is missing when referring to the goal in line 6 of claim 26.
5. Claim 32 is objected to because of the following informalities: The misplaced colon must be removed. Appropriate correction is required.
6. Claim 35 is objected to because of the following informalities: The misplaced letter "m" must be replaced with "in". Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

Art Unit: 2173

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 33-37 are rejected for not providing proper antecedence to the limitations stated below.

8. Claim 33 recites the limitation "a current UIOS" in regards to what is currently displayed on the user interface (line 16). Proper antecedence has not been given to the "current UIOS" previously recited in the claim (lines 2-3). It is not clear whether the "current UIOS" recited earlier in claim 33 is the same as the "current UIOS" later on line 16 of claim 33, or a second "current UIOS."

Claim 33 also recites the limitation "a goal UIOS" in regards to what the application program specifies (line 22). Proper antecedence has not been given to the "goal UIOS" previously recited in the claim (lines 7-8). It is not clear whether the "goal UIOS" recited earlier in claim 33 is the same as the "goal UIOS" later on line 22 of claim 33, or a second "goal UIOS."

Claims 34-36 depend from rejected claim 33 and include all of the limitations of claim 33 thereby rendering the dependent claims indefinite.

9. Claim 35 recites the limitation "a current UIOS" in regards to what is currently displayed on the user interface. Proper antecedence has not been given to the "current UIOS" previously recited in the claim 33. It is not clear whether the "current UIOS" recited in claim 33 is the same as the "current UIOS" of claim 35, or a second "current UIOS."

10. Claim 36 recites the limitation "a UIOS variable" in regards to the goal UIOS. Proper antecedence has not been given to the "UIOS variable" previously recited in the claim 35. It is

Art Unit: 2173

not clear whether the "UIOS variable" recited in claim 36 is the same as the "UIOS variable" of claim 35, or a second "UIOS variable."

Claim 36 also recites the limitation "an intermediary operator" in regards to the operator (line 5). Proper antecedence has not been given to the "intermediary operator" previously recited in the claim (line 4). It is not clear whether the "intermediary operator" recited earlier in claim 36 is the same as the "intermediary operator" later on line 5 of claim 36, or a second "intermediary operator."

11. Claim 37 recites the limitation "a plurality of application programs" in regards to receiving the goals from (page 12, line 10). Proper antecedence has not been given to the "plurality of application programs" previously recited in the claim 37 (page 11, line 17). It is not clear whether the "plurality of application programs" recited earlier in claim 37 is the same as the "plurality of application programs" later on in page 12, line 10 of claim 37, or a second "plurality of application programs."

Claim 37 also recites the limitation "a series of operators" in regards to the operator set (page 12, line 11). Proper antecedence has not been given to the "series of operators" previously recited in the claim (page 12, line 1). It is not clear whether the "series of operators" recited earlier in claim 37 is the same as the "series of operators" later on page 12, line 11 of claim 37, or a second "series of operators."

***Allowable Subject Matter***

12. Claims 20, 21, 27, 28, 34-36 would be allowable if rewritten to overcome the claim objections and rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. Claims 14, 22, 26, 29, 32, 33 and 37 would be allowable if rewritten or amended to overcome the claim objections and rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

14. The following is a statement of reasons for the indication of allowable subject matter: The applicant's invention teaches determining a series of a plurality of output states, which satisfy a display goal. Aihara discloses using output states but only to meet a display goal by creating a new panel. This invention also determines if preconditions of a first of the plurality of operators have been met in order for the operators to be executed in a sequence, starting with the plurality of first operators. Aihara meanwhile merely checks to see if operators are specified to be included in the screen for the user to be able to execute them, once the panel has been rendered. Aihara does check to see that previous operators establish true conditions for execution of the next screen but not to determine the next operator in a series of executable operators in a sequence, as stated in applicant's claims. This invention further goes on to teach how to determine the user interface output state goal without knowledge of the current state of the user interface. The primary reason for the subject matter being allowable is the inclusion of the limitation, the series of a plurality of user interface output states being displayed to meet a goal and using sequence of operators which are executed based on the preconditions being true, in combination with the other limitations found in all the claims and which is not found in the prior art references.

#### ***Conclusion***

15. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider

these references fully when responding to this action. The documents cited therein teach a method for displaying images.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231.

If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

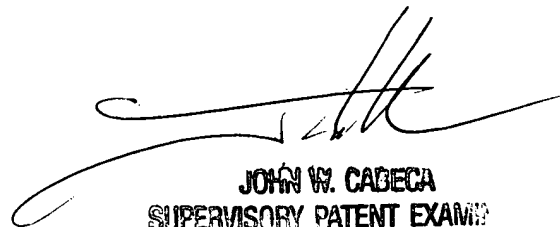
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Art Unit: 2173

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
April 17, 2003



**JOHN W. CABECA**  
**SUPERVISORY PATENT EXAMINER**  
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